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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/686,072	10/11/2000	David R. Welland	75622.P0016	5508

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EXAMINER
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LE, DINH THANH

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 09/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/686,072

Applicant(s)

WELLAND ET AL.

Examiner

DINH T. LE

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 June 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 30-33, 41-44 and 52-60 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 12-29, 32-40 and 45-51 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2816

## **DETAILED ACTION**

Claims 12-29, 34-40 and 45-51 should be canceled accordance with the selection on 6/27/2002.

### ***Specification***

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections***

#### ***Claim Rejections - 35 USC § 112***

Claim 1-11, 30-33, 41-44 and 52-60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required.

In claim 1, the recitation "the digital current" lacks antecedent basis and the recitation "providing the divider" on line 5 is confusing because it is unclear if this is an additional step of "providing the divider circuit" or a further recitation of the step of "providing a divider circuit" on line 3. Also, it is unclear how the digital current can be created and how the divider placed before the PLL can reduce the current.

In claim 5, the recitation "the mutual inductance" lacks antecedent basis. It is unclear what the circuit on line 1, "circuitry" and "first/second portion" on lines 2-3, "high frequency current" and "area" are, how the circuit and circuitries can function, where the "mutual

Art Unit: 2816

inductance” comes from and how the recitation “circuit”, “circuitry”, “portions”, “voltage source”, “filter”, “area” and “current” are read on the preferred embodiment or determined on the drawings. The same is true for claims 30, 41-44 and 55.

In claims 8-9, it is not understood how the filter can confine the currents.

In claim 30, it is not understood what the “similar circuit elements” and “mirror images of one another” are, how the similar circuit elements can be “formed” and how this step is read on the preferred embodiment or can be determined on the drawings. The same is true for claim 57.

In claim 41, it is unclear how the “circuitry” can be “identified and the “replica circuitry” can be identified. The same is true for claims 56 and 59.

In claim 52, it is not understood what the “techniques” on line 5 are and how they can be “applied”. The same is true for claim 53, 55 and 57-60.

In claim 55, it is not understood what the “digital circuitry” is and how it functions.

In claim 56, it is unclear what the “conductive trace”, “conductive strip” and “high frequency digital current” are, where they come from and how they can be related to the PLL. The same is true for claims 58-60.

The remaining claims are dependent from the above claims and therefore also considered indefinite.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2816

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 52-52 and 55-58 are rejected under 35 USC 102 (b) as being anticipated by Bland et al (US Pat. 5,703,537).

As the best construed, Figure 1 of Bland et al discloses a PLL and a divider (11).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-11, 30-33, 41-44 and 59-60 are rejected under 35 USC 103 (a) as being unpatentable over Bland et al. (US Pat. 5,703,537) in view of Kim (US 5,933,399).

As the best construed, Figure 1 of Bland et al discloses a PLL circuit with all of the limitations of the claimed invention as discussed above but does not disclose that the divider (11) comprising a first divider and a second divider. Figure 6 of Kim teaches a circuit comprising a first divider (68) and a second divider (7) for providing a selectable divisor. It would have been obvious to a person having skill in the art at the time the invention was made to incorporate the teaching of plurality of divider taught by Kim into the circuit of Bland et al for the purpose of providing a selectable divisor. Also, separating the DC power supply of the divider and the power supply source of the PLL for reducing interferences is well known in the art.

Art Unit: 2816

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dinh Le whose telephone number is (703) 305-3790. The examiner can normally be reached on Monday to Friday from 7:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7725.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

DINH LE  
Primary Examiner



June 27, 2002